

# REORGANIZATION OF THE FEDERAL GOVERNMENT

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STATUS OF HOOVER COMMISSION REPORTS, WITH LIST  
OF PUBLIC LAWS ENACTED, REORGANIZATION PLANS  
APPROVED OR DISAPPROVED, AND BILLS PRESENTLY  
PENDING TO EFFECTUATE REMAINING COMMISSION  
RECOMMENDATIONS



PRESENTED BY MR. McCLELLAN

JANUARY 21 (legislative day, January 10), 1952.—Ordered to be printed

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**II**

PRESENTED BY MR. McCLELLAN

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## LETTER OF TRANSMITTAL

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JANUARY 18, 1952.

The PRESIDENT OF THE SENATE.

DEAR MR. PRESIDENT: I am transmitting herewith a staff memorandum prepared at the direction of and approved by the Committee on Expenditures in the Executive Departments, which summarizes action taken by the Eighty-first Congress and the first session of the Eighty-second Congress on recommendations of the Commission on Organization of the Executive Branch of the Government (the Hoover Commission). This memorandum will undoubtedly be of interest to all Members of the Congress due to the continued high citizen-interest in the Hoover Reports.

In addition to the summary, a list of public laws enacted and reorganization plans approved or disapproved by the Congress to date in implementation of the Hoover reports is included, as well as a digest of the current status of legislation presently pending before the Congress to effectuate the remaining recommendations of the Commission.

By direction of the committee, I am submitting the following staff report for printing as a Senate document.

JOHN L. McCLELLAN,  
*Chairman, Senate Committee on Expenditures in the Executive  
Departments.*

III

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JOHN L. MCCORMACK,  
Chairman, Senate Committee on Expenditures in the Executive Department.



## REORGANIZATION OF THE FEDERAL GOVERNMENT

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### STATUS OF HOOVER COMMISSION REPORTS WITH LIST OF PUBLIC LAWS ENACTED, REORGANIZATION PLANS APPROVED OR DISAPPROVED, AND BILLS PRESENTLY PENDING TO EFFECTUATE REMAINING COMMISSION RECOMMENDATIONS

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*In February 1949, after completing a thorough examination of the executive branch of the Government at every level, the Hoover Commission reported to the Congress:*

*"\* \* \* The United States is paying heavily for a lack of order, a lack of clear lines of authority and responsibility, and a lack of effective organization in the executive branch. \* \* \* Great improvements can be made in the effectiveness with which Government can serve the people if its organization and administration is overhauled."*<sup>1</sup>

*The Commission followed up this premise with 19 separate reports, supported by 78 task force studies, which contained 281 specific recommendations providing for improvement in organization, management, and operation of the executive branch.*

*These recommendations were based upon the findings of more than 300 expert economists, management consultants, and organization authorities who conducted detailed analyses of the Federal administrative structure.*

#### SUMMARY

Forty-six public laws were enacted by the Eighty-first Congress and the first session of the Eighty-second Congress in implementation of the Hoover Commission reports.

In addition, the Congress approved 28 of 36 reorganization plans submitted by the President to effectuate various provisions of the reports. Of the eight rejected, two were duplicates and six failed in important particulars either to conform to the Hoover reports or to long-standing congressional policy.

To accomplish this outstanding record, both Houses of the Congress took final action, after lengthy hearings in most cases, upon more than 100 reorganization bills out of a total of some 400 introduced since the Commission reports were made in 1949.

As a result of this action by the Congress, the Citizens Committee for the Hoover Report estimates that more than 50 percent of the

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<sup>1</sup> Report No. 1 on General Management of the Executive Branch.

Commission's recommendations have been enacted into law to date with an estimated savings of approximately \$2 billion per year. This estimate of congressional action fails to take into consideration duplicating recommendations applying to more than one agency, or those actions of Congress which were not in exact accord with specific recommendations or which were rejected as opposed to congressional policy.

Most significant is the fact that the major or most important recommendations of the Hoover Commission, which it is anticipated will bring the greatest improvement in Government operations and the greatest dollar savings to the taxpayers, are among the 50 percent already enacted by the Congress. Those remaining involve grave controversies, or are directly contrary to established legislative precedents, and will require the most extensive study, analysis, and deliberation by the Congress before final action can be taken.

Among the most important of the recommendations effectuated to date are: (1) The National Security Act amendments of 1949 by which the National Military Establishment was reorganized as the Department of Defense; (2) the reorganization of the Department of State in 1949 in accord with the Hoover Commission's management recommendations; (3) the creation of the General Services Administration into which has been consolidated all Federal procurement, property, and records management and other "housekeeping" functions previously scattered throughout a score of Government agencies; (4) the Budget and Accounting Procedures Act of 1950 which in the opinion of Comptroller General Lindsay Warren, is "the greatest advance in Government financial operations within the last 30 years"; and (5) a score of separate acts which make possible improved management, clear-cut organization structure, and greater efficiency for a dozen Government agencies, including the Departments of Interior, Treasury, Commerce, Labor, and Post Office; the Civil Service Commission; Federal Trade Commission; Federal Power Commission; Securities and Exchange Commission; Civil Aeronautics Board; National Security Council; National Security Resources Board; Reconstruction Finance Corporation; Maritime Commission; and the Executive Office of the President.

#### BILLS PRESENTLY PENDING

At present, some 60 separate legislative proposals, including duplicating House and Senate bills, which implement the remaining recommendations of the Hoover Commission, and were introduced at the request of the Citizens Committee for the Hoover Report are pending before both branches of the Congress. Major improvements sought are: (1) Reorganization of the Department of Agriculture; (2) reorganization of the Veterans' Administration, including consolidation of all veterans' insurance activities in a Government corporation within VA; (3) reorganization of the Post Office, Interior, Commerce, and Treasury Departments; (4) consolidation of Federal medical services in a Department of Health, and the remaining functions of the Federal Security Agency in a new Department of Social Security and Education; (5) consolidation of public-works and natural-resources activities in the Department of Interior; and (6) continued modernization of Federal personnel policies.

## ACTION BY THE COMMITTEE ON EXPENDITURES

Of the 20 measures now pending in the Senate, 13 were referred to the Committee on Expenditures in the Executive Departments for consideration and action. Those measures, with action taken by the committee follow:

*S. 1134—Management of the executive branch.*—The Citizens Committee for the Hoover Report, in a letter to the chairman of this committee regarding this bill, commented, in part, as follows:

With reference to the provisions on general authority over the agencies of the executive branch (secs. 101, 102, 201, 203, 204 of S. 1134), 80 percent of the Hoover Commission recommendations in this field have already been enacted through reorganization plans. Furthermore, the Citizens Committee recognizes that the Congress, having rejected certain of the reorganization plans of 1949 and 1950, would be reversing its position to a considerable extent were it to enact these sections of S. 1134.

However, an alternative action by the committee could fulfill the same purpose, and also express a position more in keeping with the expressed disposition of the Congress. The Committee on Expenditures could submit a formal communication to the President, suggesting that he present for the consideration of Congress such additional reorganization plans as may be necessary to complete the program of general management recommended by the Hoover Commission.

With respect to the provisions relating to the President's office (secs. 120, 130, 140, 150), the Citizens Committee specified in the bill the type of organization recommended by the Hoover Commission for that office. This was done purposely so that Congress would have an opportunity to consider all organizational measures proposed by the Commission. Here again the Citizens Committee would like to see the Committee on Expenditures enact the pertinent sections of S. 1134.

However, in view of the particular area with which the measure treats and the delicacies of the constitutional relationships involved, it might be considered inappropriate for Congress to impose an organizational pattern on the President's office. Therefore, we feel that the Committee on Expenditures might reasonably write directly to the President, calling his attention to those recommendations of the Hoover Commission relevant to his own office set forth in these four sections of S. 1134.

In conclusion, were these two matters to be handled either through enactment or by the alternative methods described above, Congress would, in our opinion, have discharged successfully such responsibilities as it may have in respect to S. 1134, general management of the executive branch.

Following these suggestions of the Citizens Committee for the Hoover Report, and on recommendations of its Subcommittee on Reorganization, the committee instructed the chairman to communicate with the President of the United States to recommend that the most expeditious manner in which the remaining recommendations contained in this report might be implemented would be through his submission of new reorganization plans designed to overcome objections to previous plans rejected by the Senate during the Eighty-first Congress. The Senate in 1950 disapproved plans vesting functions in the Chairman of the Interstate Commerce Commission (Plan No. 7, 1950), Federal Communications Commission (Plan No. 11, 1950), National Labor Relations Board (Plan No. 12, 1950), and in the Secretary of Agriculture (Plan No. 4, 1950), in view of the fact they would disrupt basic statutory structures under which these agencies operate as provided in specific laws approved by the Congress.

In his letter to the President, the chairman also expressed the views of the members of the Committee on Expenditures, regarding other provisions of S. 1134, as follows:

The committee also gave consideration to three further provisions of S. 1134, stipulating certain organizational changes in the Executive Office of the President. It is the considered view of the committee that these provisions are not in full



accord with the general premise of the Hoover Commission, which held that the President "should be given complete freedom to adjust the internal relationships of the Presidential office and should not be prevented by statute from reorganizing the President's office." The committee felt that this is essentially a matter which addresses itself to the President and that any action you may desire to take in this connection could be initiated by Executive order or by reorganization plan. The committee is therefore taking this opportunity to call these specific recommendations to your attention so that you may give consideration to the purpose and intent of the Hoover Commission for the reorganization of the Executive Office of the President. The Commission recommended the creation of an Office of Personnel, an Office of Staff Secretary, and the substitution of a single economic adviser to the President in lieu of the present three-member Council of Economic Advisers established under the Employment Act of 1946.

Finally, S. 1134 contains a section on nomenclature designed to improve uniformity of organizational terminology for all agencies of the Government. This proposal, originally initiated by this committee, was adopted in the form of a recommendation by the Hoover Commission. Various agencies state that rigid statutory requirements with reference to nomenclature formulas throughout the Government might cause difficulty in some departments and agencies where long-established custom in the administration of statutory functions has brought about general public acceptance and understanding as to their operation. The committee agrees that execution of the nomenclature program might better be achieved over a period of time in such cases in order to avoid any possible disruption of Federal activities in these areas, although it is still firmly convinced that uniformity of nomenclature is a desirable objective.

The President replied to the effect that any new plans he might submit to carry out the provisions of the general management sections applying to the agencies, as provided in S. 1134, would be substantially identical with the plans rejected during the Eighty-first Congress. In view of the previous action of the Congress and the attitude of the President, the committee determined that the substance of the report on general management had been fully implemented to accord with the views of the Congress, and that further action on this bill would be unproductive.

*S. 1136—To vest in the Administrator of General Services responsibility for certain Federal activities in the District of Columbia.*—The Subcommittee on Reorganization, and, later, the full committee gave extended consideration to the provisions of this bill, which originally proposed to vest in the Administrator of General Services supervision over functions now vested in the President concerning activities of the government of the District of Columbia, the Smithsonian Institution, the National Capital Park and Planning Commission, and the Commission on Fine Arts. Considerable opposition developed to the broad implications of these transfers and the possible effect such supervision might have on the operations of these agencies. The staff, therefore, redrafted the bill in an effort to overcome these objections to provide that the President might delegate any such functions as may now be vested in him to the head of any department or agency in relation to the administration of these functions as they affected the named agencies. It was the opinion of the committee that the President already was vested with this authority, but every effort was made to conform to the Hoover Commission recommendations.

The Citizens Committee, commenting upon this action, concluded that:

The new language proposed answers many of the criticisms raised to the original draft of S. 1136, and would make it possible for the President and the General Services Administrator to accomplish the objectives set forth by the Hoover Commission in its report on the Office of General Services. Were the bill to be enacted as set forth in the substitute, the recommendations of the Hoover Commission with respect to this area would be fulfilled. This would bring recommendations in the field of general services to 100 percent completion.

When the revised committee bill met with continued opposition, particularly on the part of the government of the District of Columbia, and the chairman of the Senate District of Columbia Committee suggested rereference of the bill, on recommendation of its Subcommittee on Reorganization, the committee voted unanimously in favor of such action. The bill was, therefore, reported on July 11, 1951, without recommendation, and rereferred to the Senate Committee on the District of Columbia, where no further action has been taken.

*S. 1146—Temporary National Commission on Intergovernmental Relations.*—The Subcommittee on Intergovernmental Relations of the Committee on Expenditures held extensive hearings on similar bills during the Eighty-first Congress, and on the recommendation of that subcommittee a committee bill, S. 3147, was reported favorably on June 22, 1950. The subject bill, S. 1146, was introduced in the Eighty-second Congress and, on recommendations of its Subcommittee on Reorganization (which took over the functions of the Subcommittee on Intergovernmental Relations) the Committee on Expenditures reported this bill favorably, with amendments, on July 12, 1951 (S. Rept. 544). It passed the Senate July 23, 1951, as amended, but was returned from the House for reconsideration on request of Senator Ellender on July 24, 1951. The bill was returned by the House on July 25, 1951, and is now pending on the Senate Calendar.

*S. 1147—To transfer the Displaced Persons Commission and the War Claims Commission to the Department of State.*—The Subcommittee on Reorganization in its studies of the proposals contained in this bill concluded that its enactment would be contrary to previous determinations made by the Congress, that the functions of these agencies should be performed on an independent basis since there is little or no relation between their functions and those of the Department of State. On further deliberation, before the full committee, it was the consensus of the members of the Committee on Expenditures that, since the Senate Committee on the Judiciary had considered legislation affecting these agencies since their inception, it would be more appropriate for that committee to consider the Hoover Commission recommendations in relation to this pending legislation rather than to have the Committee on Expenditures act without regard to other substantive legislative proposals affecting them. The bill was, therefore, reported without recommendation on July 11, 1951, with a request that the bill be rereferred to the Senate Committee on the Judiciary, which action was taken.

The Citizens Committee on the Hoover Report, in commenting on this bill, stated that:

We believe that the Hoover Commission recommended that these agencies be placed under the Department of State so that (1) the number of agencies reporting to the President would be cut, and (2) the Department of State would supervise their liquidation. The important thing here is not whether these agencies are placed in any particular department of Government. The important thing is to get rid of them when their present jobs are done. This would cut the number of agencies reporting to the President. The details of liquidation are of little moment, so long as it is done. \* \* \*

We recommend, therefore, that your committee either pass S. 1147, or, alternatively, request the Congress to go firmly on record by concurrent resolution or otherwise that these agencies should be abolished on schedule. Were either of these steps taken, the recommendations of the Hoover Commission in these matters as stated in the concluding report would be fulfilled.



On recommendation of the Judiciary Committee of the Senate, the Congress has extended the functions of the DPC to July 1, 1952 (German ethnics only), and the WCC to March 31, 1952, on an independent agency basis, at which time these Commissions will cease to function.

Since these Commissions were continued on an independent basis by the Congress, after consideration of recommendations of the Hoover Commission (for which no reasons were advanced in its reports), and the Commissions will expire this year, there can be little question but that these recommendations have been effectuated as to intent without the need for further congressional action.

*S. 1149<sup>2</sup>—Reorganization of the Department of Agriculture.*—Lengthy hearings, preceded by some 18 months of staff work, were held on a committee print of S. 1149 (committee print, August 14, 1951), a far-reaching, highly controversial bill which would completely reorganize the Department of Agriculture, vesting all Department functions in the Secretary of Agriculture with parallel authority to redelegate such functions within the Department as he saw fit. The staff of the committee, in consultation with the affected Departments, various agricultural organizations representing the farmers of the country, and the Citizens Committee for the Hoover Report, is presently redrafting a committee print of a bill to overcome objections to its major provisions, for committee reconsideration beginning on Wednesday, January 23, 1952.

*S. 1166—Commission To Study the Administration of Overseas Activities.*—Following hearings, May 31 and June 5, 1951, reported favorably with amendments, July 11, 1951 (S. Rept. 543). Passed Senate July 23, 1951, as amended. Return from House for reconsideration requested by Senator Ellender July 24, 1951. Returned by House July 25, 1951. Pending on Senate Calendar.

As the above indicated, the committee has disposed of 5 of the 13 Hoover Commission bills referred to it, 2 having passed the Senate only to be recalled on a motion for reconsideration and 2 others having been referred to other committees for further consideration. Other Hoover Commission bills pending before the committee follow:

S. 1139—Changes in laws applicable to regulatory agencies.

S. 1151—Reorganization of the Veterans' Administration.

S. 1140—Establishing a Department of Health.

S. 1145—Establishing a Department of Social Security and Education.

S. 1142—To expand the activities of the Department of Labor.

S. 1150—Reorganization of the Department of the Treasury.

S. 1143—Reorganization of the Department of the Interior.

Opposition has been expressed to each of these measures in varying degrees.

When the Subcommittee on Reorganization considered S. 1139 it developed the fact that there were certain of its provisions which are subject to controversy, such as the vesting of functions in the heads of the ICC, FCC, and NLRB,<sup>3</sup> but other aspects may be worked out in cooperation with the affected agency which would permit implementation of a number of Hoover Commission recommendations; and

<sup>2</sup> Reorganization Plan No. 4 of 1951, which contained provisions identical for all purposes to sec. 5 of S. 1149 (vesting of functions in Secretary with redelegation authority) was rejected by the Senate during the 81st Cong.

<sup>3</sup> These provisions duplicate the general provisions of S. 1134, covered on p. 3 of this memorandum, which were rejected by the Senate in the 81st Cong.

staff studies of these provisions are now being made. Certain provisions of S. 1139 also have been incorporated in a separate bill (S. 1218) which is pending before the Committee on Interstate and Foreign Commerce.

S. 1151, relating to the Veterans' Administration, may offer an opportunity for the committee to focus attention on present weaknesses in the structure of the VA without involving direct legislative action at this session. It is understood that the Citizens Committee for the Hoover Report has set up veterans' committees throughout the country, and expects to make a concentrated drive for action on this bill during the Eighty-second Congress. In view of the fact that a management survey of the VA is now in progress, legislative action at this time might be found to be difficult, since the management report will probably not be available until the end of the present fiscal year.

The bills relating to the establishment of the Department of Health (S. 1140) and the Department of Social Security and Education (S. 1145) are variations of previous proposals considered by the Senate in the Eightieth, Eighty-first, and Eighty-second Congresses. The general provisions of S. 1145 were incorporated in Reorganization Plans Nos. 1 and 27 of 1949 and 1950, respectively, which were disapproved in the Eighty-first Congress. The Subcommittee on Health of the Senate Committee on Labor and Public Welfare has also had the proposal to create a Department of Health under consideration in connection with other pending legislation.

Three bills, relating to the Department of Labor (S. 1142), the Department of the Treasury (S. 1150), and the Department of the Interior (S. 1143), have met with general opposition. The primary factors involved, which have led to the widespread opposition to these measures, include the proposed transfer of the Selective Service System to the Department of Labor; the RFC, Federal Deposit Insurance Corporation, and the Export-Import Bank to the Department of the Treasury; and the civil functions of the Corps of Engineers from the Department of the Army to Interior.

S. 1150, providing for reorganization of the Department of the Treasury, would authorize the Secretary to appoint all officers and employees of the Bureau of Internal Revenue and the Bureau of Customs, and require the integration of the overhead management, administrative services, and field offices of these bureaus.

On January 14, 1952, the President submitted Reorganization Plan No. 1 of 1952 providing for reorganization of the Bureau of Internal Revenue, to the Congress. The plan abolishes the offices of Assistant Commissioner, Special Deputy Commissioner, Deputy Commissioner, assistant general counsel, collector, and deputy collector of the Internal Revenue Bureau, and provides for the appointment in the future of assistant commissioners, district commissioners, and other officers of the Bureau of Internal Revenue from the classified civil service, leaving only the Commissioner of Internal Revenue a Presidential appointee. The plan, submitted under the Reorganization Act of 1949, has been referred to this committee for consideration and action, and hearings thereon are scheduled to begin on Wednesday morning, January 30, 1952. A resolution of disapproval has also been introduced in the House of Representatives, and hearings before the House Committee on Expenditures in the Executive Departments began January 18, 1952.

S. 1150 also contains a number of other provisions to which considerable opposition has been expressed, including (as previously mentioned) (a) transfer of RFC, FDIC, and the Export-Import Bank to the supervision of the Treasury; (b) creation of an Accountant General, which has already been rejected by the committee and the Congress; (c) transfer of the Bureau of Narcotics from Treasury to Justice; and (d) the purchase of blanket or position schedule bonds for Federal employees by the Government. The bond program outlined in this bill has already been rejected by this committee after careful consideration of a report prepared by a subcommittee. It is understood, however, that the Senate Committee on Post Office and Civil Service is considering a bill which would effectuate the bonding program insofar as the post office employees are concerned.

The bill, S. 1142, relating to the Department of Labor, contains only one major provision, which would transfer the functions of the Selective Service System to the Department of Labor. At the time the Hoover Commission reports were submitted to the Congress this recommendation may have merited serious consideration by the Congress, but in view of the present existing emergency, it is doubtful that there should be any action taken to change the present independent status of the Selective Service System for reasons set forth in agency comments when the proposal was originally submitted to them. (See pp. 290-292, S. Rept. 1158, 81st Cong.)

By action of the committee, at an executive session held on January 16, 1952, all Hoover Commission bills pending before the committee were referred to its Subcommittee on Reorganization, of which Senator Herbert R. O'Connor is chairman, for consideration and recommendation as to action indicated. The subcommittee has already proceeded with the consideration of these bills. An executive session has been called by the chairman for Monday, January 21, 1952, in order to determine in what order the subcommittee would consider the various bills with a view to recommending appropriate action to the full committee.

#### ACTION ON OTHER CITIZENS COMMITTEE BILLS

Seven of the twenty Citizens Committee bills pending before the Congress were referred to other standing committees of the Senate which took action during the first session of the Eighty-second Congress as indicated below:<sup>4</sup>

**S. 1135.**—Committee on Post Office and Civil Service. Remaining Hoover Commission recommendations concerning personnel management. Reported favorably with amendments October 15, 1951. Passed Senate October 19, 1951.

**S. 1137.**—Committee on Interstate and Foreign Commerce. Separates Federal subsidies from airline mail rates. S. 436 (incorporating provisions of S. 1137) reported favorably August 9, 1951. Passed Senate September 19, 1951. Referred to House Interstate and Foreign Commerce Committee.

**S. 1138.**—Committee on Finance. Establishes Veterans' Insurance Corporation. No action.

<sup>4</sup>In addition to the Citizens Committee bills, the Senate Committee on Interstate and Foreign Commerce reported S. 658, which provided for reorganization of the Federal Communications Commission, on January 23, 1951. The bill passed the Senate on February 5, 1951, and is now pending before the House Committee on Interstate and Foreign Commerce.



*S. 1141.*—Committee on Interstate and Foreign Commerce. Hoover Commission recommendations concerning reorganization of Department of Commerce. No action.

*S. 1144.*—Committee on Public Works. Establishes Board of Impartial Analysis for Public Works. No action.

*S. 1148.*<sup>5</sup>—Committee on Post Office and Civil Service. Hoover Commission recommendations concerning reorganization of Post Office Department. Hearings September 5, 1951.

*S. Con. Res. 19.*<sup>6</sup>—Committee on Foreign Relations. Requesting the Secretary of State to submit to the Congress a plan for the amalgamation of State Department and Foreign Service personnel. No action.

Five other bills which became public law during the first session of the Eighty-second Congress, while not introduced at the request of the Citizens Committee for the Hoover Report nevertheless implement recommendations of the Hoover Commission reports. They were: *S. 1726*, Air Force Organization Act of 1951 (Public Law 150); *S. 622*, which increased Federal salaries (Public Law 201); *S. 355*, which increased postal salaries (Public Law 204); *S. 1967*, which repealed obsolete statutes pertaining to records management (Public Law 209); and *S. 1952*, which repealed obsolete statutes pertaining to Government property (Public Law 247).

#### REORGANIZATION PLAN NO. 1 OF 1951

In addition to the preceding, the President on February 19, 1951, submitted to the Congress Reorganization Plan No. 1 of 1951 which reorganized the Reconstruction Finance Corporation, establishing a single Administrator, abolishing the Board of Directors, and setting forth a financial assistance procedure for the granting of loans. This plan became effective April 30, 1951, neither House having disapproved it in the preceding 60-day interval as required by law.

Plan No. 1 of 1951 did not conform to specific recommendations of the Hoover Commission, which proposed that RFC's responsibilities be placed under the supervision of the Secretary of the Treasury. (Reorganization Plan No. 24 of 1950, transferring RFC to the Department of Commerce was rejected by the Senate in the 81st Cong.) The 1950 plan did implement a cardinal recommendation of the Commission, that the Government's financial enterprises or corporations should have single-headed rather than multiheaded (by boards of directors) direction, as a means of improving management of those agencies. The Senate Banking and Currency Committee also reported *S. 515* during the first session of the Eighty-second Congress,

<sup>5</sup> *S. 1046*, which became Public Law 233 of 82d Cong., while not a Hoover Commission bill, implements to a considerable degree the Commission's recommendation that fees for special services such as insured mail, registered mail, money orders, etc., be increased to make those services self-supporting rather than a burden on the taxpayer. The law does not make the services self-supporting, but does increase the charges to a considerable degree, which is a step forward in that direction and vests fee-fixing authority in the Postmaster General, as the Commission proposed, which will enable him to make the services pay their way. The increased rates are expected to yield \$117 million in additional revenue to reduce the present postal deficit.

<sup>6</sup> On October 11, 1951, the Department of State submitted to the Senate Committee on Foreign Relations proposed legislation designed to amend the Foreign Service Reserve Act of 1946, as amended, so as to provide for a partial amalgamation of departmental and Foreign Service personnel. This action was based upon the recommendation of the Secretary of State's Advisory Committee on Personnel, as modified, which was appointed to study the relationship between departmental and Foreign Service personnel in the light of the recommendations of the Hoover Commission. If the proposed legislation is enacted, it is estimated that such action, together with Public Law 73 (81st Cong.) would constitute substantial implementation of the recommendations of the Commission in its report on foreign affairs.

which incorporated the provisions of Plan No. 1 of 1950 and made certain other policy changes in RFC's operation, but the Senate has not acted on the bill.

#### REORGANIZATIONS REQUIRE EXTENSIVE DELIBERATION BY THE CONGRESS

Many of the citizens committee groups which demand that the Congress effectuate the Hoover Commission's voluminous reports as recommended have little conception of the manifold problems involved, the tremendous amount of staff work necessary, and the length of time required for the judicious enactment of permanent legislation providing for large-scale reorganization of the various departments of the Government.

The erroneous impression has been created in the public mind, due to information disseminated by certain representatives of these groups who profess to speak for the Hoover Commission, and by some newspapers, columnists, and commentators, to the effect that the enactment of the Hoover Commission reports into law is a simple task, and that all Congress has to do is to simply adopt a resolution putting the Commission's recommendations into effect. That is most erroneous, and it is manifestly unfair to the Congress and to the public when such an impression is either willfully or carelessly created.

The Hoover Commission reports are largely a general blueprint for reorganization of the executive branch of the Government. Many, many technical details have to be supplied and agreed upon. Many recommendations of the Commission should be subjected to the closest analysis, thorough congressional study, and often to improvement before being implemented. There are important legal and technical problems involved. Sharp differences in opinion have developed. Strong opposition from numerous sources has been expressed. These have to be fully explored and evaluated in order to avoid the making of impractical changes and the passage of bad legislation. It is not only the responsibility of Congress but its constitutional duty to enter into this difficult legislative task with a view to acting judiciously and in the best interests of the Government. To do this, the Congress must consider the point of view of those who are opposed to legislative proposals and also the constructive suggestions offered by others whether they deal with Hoover Commission recommendations or with reorganization programs submitted to the Congress by the President, and those that emanate from other sources. Practically every step that has been taken in connection with the implementation of the various Hoover Commission recommendations outlined in this document has met with opposition from some source. The Congress has carefully studied these views in an effort to enact legislation carrying out the tenor of the Hoover Commission recommendations, while at the same time considering the merits of views submitted in opposition to them.

To illustrate the difficulties and the various steps involved before a recommendation can be effectuated after it has been introduced in legislative form, the enactment of Public Law 152 of the Eighty-first Congress (the Federal Property and Administrative Services Act of 1949) may be cited. This act, which consolidated all Federal pro-



curement activities in the General Services Administration, required consideration by the Congress of a dozen separate bills including varying proposals of the Hoover Commission, of the administration, and of individual Members of the Congress. After lengthy hearings, repeated redrafting and final consolidation, legislative action initiated on February 17, 1949, when the first bill was filed, was finally terminated 5½ months later on June 30, 1949. Legislative action on the Commission's recommendation for establishment of a records management program under the jurisdiction of the General Services Administration was not included in the Federal Property and Administrative Services Act of 1949, because the committee felt that existing laws and procedures should be carefully analyzed before authorizing a Government-wide records management program. These studies were initiated in 1949 and after careful review by the Bureau of the Budget, a bill providing for the establishment of a records management program was drafted by the staff of the committee and introduced in the Senate. This proposal (S. 3959) became Public Law 754 on September 5, 1950.

Another example of the time required for enactment of reorganization legislation is provided by the legislative history of the Budget and Accounting Procedures Act of 1950, Public Law 784 of the Eighty-first Congress. Action initiated by the Congress in June of 1949 was not completed until 16 months later when it was approved by the President on September 12, 1950.

These two examples (of which there are many more) make it clear that reorganization of the Federal Government cannot be accomplished "overnight." They also point up the outstanding progress that has been made by the Congress in enacting more than 50 percent of the Hoover Commission's recommendations in the short time since its reports were filed.

#### CONCLUSION

From the above outline, it can readily be seen that very real progress has already been made toward reorganization of the executive branch of the Federal Government. The Congress is working diligently at this task which, although far advanced, will continue to require much time and work before it is completed. Some recommendations of the Hoover Commission may in the final judgment of the Congress be rejected. However, the major portion of them have already been put into effect, and all the others are now in process of receiving congressional attention, with a view toward effecting some final disposition of them.

MILES SCULL, Jr.,  
*Professional Staff Member.*

Approved:

WALTER L. REYNOLDS,  
*Staff Director.*

## APPENDIX A

## PUBLIC LAWS ENACTED, REORGANIZATION PLANS APPROVED OR DISAPPROVED AND OTHER CONGRESSIONAL ACTION IMPLEMENTING THE HOOVER REPORTS

A list of (A) public laws enacted, (B) reorganization plans approved or disapproved, and (C) a summary of other action by the Eighty-first Congress and the Eighty-second Congress, to date, follows:

## (A) PUBLIC LAWS ENACTED

*Eighty-first Congress, first session*

- (1) Public Law 2, January 19, 1949—Increased salary of President, Vice President, and Speaker of the House.
- (2) Public Law 36, April 2, 1949—Amended National Security Act of 1947 to provide an Under Secretary of Defense.
- (3) Public Law 73, May 26, 1949—Reorganized Department of State, centralizing operating responsibility in Secretary of State.
- (4) Public Law 92, June 9, 1949—Travel Expense Act of 1949, increased per diem from \$6 to \$9 per day.
- (5) Public Law 109, June 20, 1949—Reorganization Act of 1949. Authorized submission of reorganization plans by President to the Congress.
- (6) Public Law 110, June 20, 1949—Improved administration of Central Intelligence Agency.
- (7) Public Law 152, July 1, 1949—Federal Property and Administrative Services Act of 1949.
- (8) Public Law 167, July 13, 1949—Authorized creation of 10 professional scientific positions in National Advisory Committee for Aeronautics.
- (9) Public Law 180, July 21, 1949—Expanded Civil Service Retirement Act to include certain employees.
- (10) Public Law 216, August 10, 1949—Title IV of the National Security Act concerning armed services fiscal programs.
- (11) Public Law 231, August 16, 1949—Improved post office supply, equipment, and methods procedures and programs.
- (12) Public Law 352, October 13, 1949—Appropriation authorization to States for advance planning of public works.
- (13) Public Law 359, October 15, 1949—Increase in salaries in executive branch.
- (14) Public Law 380, October 25, 1949—Extended Hospital Survey and Construction Act (Hill-Burton Act) to 1955.
- (15) Public Law 394, October 26, 1949—Clarified status of the Architect of the Capitol under the Federal Property and Administrative Services Act of 1949.
- (16) Public Law 429, October 28, 1949—Civil Service Classification Revision Act of 1949.

*Eighty-first Congress, second session*

- (1) Public Law 472, April 11, 1950—Authorized attendance of personnel at National Advisory Committee for Aeronautics accredited graduate schools.
- (2) Public Law 475, April 20, 1950—Housing Act of 1950 (title II). Disposition of veterans' housing projects.
- (3) Public Law 500, May 3, 1950—Provided uniform system of longevity salary increases for postal service.
- (4) Public Law 507, May 10, 1950—National Science Foundation Act of 1949. Develops national scientific research policy.
- (5) Public Law 581, June 28, 1950—Reorganized organizational structure of the Department of the Army.
- (6) Public Law 610, July 13, 1950—Amended Public Law 266, Eighty-first Congress, Servicemen's Readjustment Act, concerning educational institutions.
- (7) Public Law 636, August 3, 1950—Facilitated settlement of accounts of certain deceased Federal civilian employees.
- (8) Public Law 656, August 4, 1950—Provided for financing the operations of the Bureau of Engraving and Printing.

- (9) Public Law 672, August 8, 1950—Directed National Advisory Committee for Aeronautics to expand research facilities.
- (10) Public Law 673, August 8, 1950.—Authorized President to delegate certain functions.
- (11) Public Law 692, August 15, 1950—Authorized research institutes on various diseases.
- (12) Public Law 712, August 17, 1950—Post Office Department Financial Control Act of 1950.
- (13) Public Law 733, August 26, 1950—Provided for suspension and discharge of Federal personnel.
- (14) Public Law 734, August 28, 1950—Social-security amendments of 1949 which revised social-security programs.
- (15) Public Law 754, September 5, 1950—Amended the Federal Property and Administrative Services Act of 1949 (records-management program).
- (16) Public Law 759, September 6, 1950—Authorized President to rescind unexpended appropriation balances when not used.
- (17) Public Law 776, September 9, 1950—Provided for the dissemination of technological, scientific, and engineering information.
- (18) Public Law 779, September 9, 1950—Amended the Selective Service Act of 1948, as amended, so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories.
- (19) Public Law 784, September 12, 1950—Budget and Accounting Procedures Act of 1950. Improved budget, accounting, and accounting methods.
- (20) Public Law 821, September 23, 1950—Implemented Reorganization Plan No. 20 of 1950 by amending title I of the United States Code regarding publication of statutes at large, treaties, etc.
- (21) Public Law 830, September 23, 1950—Amendments to the Administrative Expenses Act of 1946 which clarified duplicatory appropriation language.
- (22) Public Law 841, September 26, 1950—Improved organization, management, and operation of the Panama Canal.
- (23) Public Law 858, September 29, 1950—Authorized Civil Aeronautics Administrator to delegate certain functions.
- (24) Public Law 873, September 30, 1950—Provided for establishment in each agency of plans to evaluate employees' work.

*Eighty-second Congress, first session*

- (1) Public Law 150, September 19, 1951—Air Force Organization Act of 1951.
- (2) Public Law 201, October 24, 1951—Increased salaries of Government employees.
- (3) Public Law 204, October 24, 1951—Increased salaries of postal employees, etc.
- (4) Public Law 209, October 25, 1951—Repealed obsolete statutes pertaining to records management.
- (5) Public Law 233, October 30, 1951—Increased certain postal rates to provide \$117,000 additional revenue to reduce postal deficit.
- (6) Public Law 247, October 31, 1951—Repealed obsolete statutes pertaining to Government property.

(B) REORGANIZATION PLANS

*Eighty-first Congress, first session*

PLANS APPROVED (7)

- (1) Plan No. 2 of 1949—Transferred Bureau of Employment Security from Federal Security Agency to Department of Labor.
- (2) Plan No. 3 of 1949—Reorganized Post Office Department, vesting in Postmaster General functions of subordinate officers, employees, and agencies with redelegation authority; created Deputy Postmaster General, four Assistant Postmasters General and Advisory Board; and abolished Bureau of Accounts.
- (3) Plan No. 4 of 1949—Transferred National Security Council and National Security Resources Board to the Executive Office of the President.
- (4) Plan No. 5 of 1949—Provided for executive direction by the Chairman of administration of the United States Civil Service Commission, but maintained advantages of bipartisan membership.

- (5) Plan No. 6 of 1949—Strengthened administration of the United States Maritime Commission by vesting in the Chairman responsibility for (a) administration, (b) appointment of personnel, and (c) supervision of personnel.
- (6) Plan No. 7 of 1949—Transferred the Public Roads Administration from the General Services Administration to the Department of Commerce.
- (7) Plan No. 8 of 1949—Reorganized National Military Establishment into a Department of Defense, redistributing functions therein.<sup>7</sup>

## DISAPPROVED (1)

- (1) Plan No. 1 of 1949—Would have created a new Department of Welfare, transferring health, social-security, and education functions thereto.

*Eighty-first Congress, second session*

## PLANS APPROVED (20)

- (1) Plan No. 2 of 1950—Reorganized Department of Justice.<sup>8</sup>
- (2) Plan No. 3 of 1950—Reorganized Department of the Interior.<sup>8</sup>
- (3) Plan No. 5 of 1950—Reorganized Department of Commerce.<sup>8</sup>
- (4) Plan No. 6 of 1950—Reorganized Department of Labor.<sup>8</sup>
- (5) Plan No. 8 of 1950—Reorganized Federal Trade Commission.<sup>8</sup>
- (6) Plan No. 9 of 1950—Reorganized Federal Power Commission.<sup>8</sup>
- (7) Plan No. 10 of 1950—Reorganized Securities and Exchange Commission.<sup>8</sup>
- (8) Plan No. 13 of 1950—Reorganized Civil Aeronautics Board.<sup>8</sup>
- (9) Plan No. 14 of 1950—Coordinated administration of labor standards.
- (10) Plan No. 15 of 1950—Transferred Alaska and Virgin Islands public-works functions to Secretary of the Interior.
- (11) Plan No. 16 of 1950—Transferred functions of General Services Administration concerning assistance to school districts, and for water-pollution control to Federal Security Agency.
- (12) Plan No. 17 of 1950—Transferred advance planning and management of war public works from General Services Administration to Housing and Home Finance Agency.
- (13) Plan No. 18 of 1950—Transferred certain building and space management functions from other agencies to General Services Administration.
- (14) Plan No. 19 of 1950—Transferred Federal Security Agency employees' compensation functions to Department of Labor.
- (15) Plan No. 20 of 1950—Transferred State Department functions in re statutes at large and other matters to General Services Administration.
- (16) Plan No. 21 of 1950—Abolish Maritime Commission by transfer to Department of Commerce, establishing a Maritime Administration and Board therein.
- (17) Plan No. 22 of 1950—Transferred Federal National Mortgage Association from Reconstruction Finance Corporation to Housing and Home Finance Agency.
- (18) Plan No. 23 of 1950—Transferred RFC loans for factory-built homes to Housing and Home Finance Agency.
- (19) Plan No. 25 of 1950—Vested other than advisory functions of National Security Resources Board in its Chairman.
- (20) Plan No. 26 of 1950—Reorganized Department of the Treasury (same as Plan No. 1 of 1950 except exemption of transfer of functions of Comptroller of the Currency to the Secretary of the Treasury).

## DISAPPROVED (7)

- (1) Plan No. 1 of 1950—Reorganization of Department of the Treasury.<sup>9</sup>
- (2) Plan No. 4 of 1950—Reorganization of Department of Agriculture.
- (3) Plan No. 7 of 1950—Reorganization of Interstate Commerce Commission.
- (4) Plan No. 11 of 1950—Reorganization of Federal Communications Commission.
- (5) Plan No. 12 of 1950—Reorganization of National Labor Relations Board.

<sup>7</sup> Plan No. 8 of 1949 which would have reorganized the National Military Establishment was superseded by Public Law 216 of 1949, the National Security Act of 1949, thereby making the reorganization plan inoperative.

<sup>8</sup> These reorganizations were primarily administrative rather than structural, vesting responsibility in chairmen, authorizing redelegation of authority, and creating assistant administrators, etc.

<sup>9</sup> Superseded by Plan No. 26 of 1950.



- (6) Plan No. 24 of 1950—Transfer of Reconstruction Finance Corporation to Department of Commerce.
- (7) Plan No. 27 of 1950—Transfer of Federal Security Agency functions to new Department of Health, Education, and Security.

*Eighty-second Congress, first session (one submitted and approved)*

- (1) Plan No. 1 of 1951—Reorganization of Reconstruction Finance Corporation.  
*Eighty-second Congress, second session (one submitted January 14, 1952)*
- (1) Plan No. 1 of 1952—Reorganization of the Internal Revenue Bureau. (Hearings scheduled before Committee on Expenditures in the Executive Departments, starting January 30, 1952).

### (C) OTHER CONGRESSIONAL ACTION

In addition to the above tabulation of Public Laws and Reorganization Plans, the Congress took the following legislative action upon certain aspects of the Hoover reports:

#### *Eighty-first Congress*

##### BILLS PASSED BY THE SENATE

- S. 1937—Retention of veterans' preference. August 9, 1949.
- S. 3812—Relating to Post Office employees transferred to GSA. September 13, 1950.
- S. 1559—To establish a National Monetary Commission. June 2, 1949.
- S. 1973—Communications Act Amendments of 1949. August 9, 1949.
- S. 2105—National Minerals Act of 1949. October 6, 1949.
- S. 522—Local Public Health Units Act. August 27, 1949.
- S. 1453—Federal Aid for Health Education. September 23, 1949.
- S. 2072—To create Commission on Overseas Administration. August 27, 1949.
- S. Res. 219—Study of Reconstruction Finance Corporation. February 8, 1950.

##### BILLS PASSED BY THE HOUSE

- H. R. 7185—Restricts certain civil-service examinations to Veterans. May 1, 1950.
- H. R. 2945—To readjust postal rates. February 9, 1950.
- H. R. 8850—To create additional Assistant Secretaries of Agriculture. August 23, 1950.
- H. R. 8706—Federal payment of blanket surety bonds. July 17, 1950.
- H. R. 4082—To authorize CAB Commissioners to delegate functions. May 16, 1949.

In addition, various committees of the two Houses reported a score of bills relating to the Hoover Commission reports which were not acted upon by the Eighty-first Congress.

#### *Eighty-second Congress, first session*

##### BILLS PASSED BY THE SENATE

- S. 658—Reorganization of Federal Communications Commission. February 5, 1951.
- S. 1135—Hoover Commission recommendations concerning personnel management. October 19, 1951.
- S. 1137—Separates Federal subsidies from airline mail rates as Hoover Commission recommended. September 19, 1951.
- S. 1146—Temporary National Commission on Intergovernmental Relations. Passed Senate July 23, 1951, but returned by House for reconsideration at request of Senator Ellender. July 25, 1951.
- S. 1166—Commission to study Administration of Overseas Activities. Passed Senate July 23, 1951, but returned by House for reconsideration upon request of Senator Ellender. July 25, 1951.



As previously noted S. 1136, to vest certain District of Columbia activities in the Administrator of General Services, was reported by the Expenditures Committee without recommendation on July 11, 1951, and rereferred to the Committee on the District of Columbia. Likewise, S. 1147, to transfer the Displaced Persons Commission and the War Claims Commission to the Department of State, was reported by the Expenditures Committee without recommendation on July 11, 1951, and rereferred to the Senate Committee on the Judiciary.

## APPENDIX B

The foregoing is the latest of a series of reports made by the Senate Committee on Expenditures in the Executive Departments upon the Hoover Commission reports. Major reports issued previously follow:

- (1) Reports to the Congress by the Commission on Organization of the Executive Branch of the Government. Senate Document 28, Eighty-first Congress, first session, March 11, 1949 (5 pp.).
- (2) Index to the Reports of the Commission on Organization of the Executive Branch of the Government, and to Supporting Task Force Reports. Senate committee print, Eighty-first Congress, first session, April 21, 1949 (77 pp.).
- (3) Digest of Reports of the Commission on Organization of the Executive Branch of the Government. Senate committee print, Eighty-first Congress, first session, May 18, 1949 (61 pp.).
- (4) Organization of Federal Executive Departments and Agencies. Senate Report 6, Eighty-first Congress, first session, September 20, 1949 (9 pp.).
- (5) Progress Report on Hoover Commission Recommendations (at end of first session, Eighty-first Congress). Senate Report 1158, Eighty-first Congress, first session, October 12, 1949 (388 pp.).
- (6) Legislative Action on Hoover Commission Reports During Eighty-first Congress, First Session. Senate Report 7, Eighty-first Congress, second session, February 1, 1950 (21 pp.).
- (7) Analysis of Action on Hoover Commission Reports, Eighty-first Congress, First Session. Staff Memorandum No. 81-2-12, Eighty-first Congress, second session, February 3, 1950.
- (8) Controversy Over Hoover Commission Recommendations Affecting Veterans. Senate Report 8, Eighty-first Congress, second session, February 11, 1950 (10 pp.).
- (9) Organization of Federal Executive Departments and Agencies. Committee Report No. 9, Eighty-first Congress, second session, March 10, 1950 (16 pp.).
- (10) Reorganization Plans of 1950. Senate Report 1774, Eighty-first Congress, second session, June 2, 1950 (24 pp.).
- (11) Organization of Federal Executive Departments and Agencies. Senate Report 10, Eighty-first Congress, second session, September 13, 1950 (16 pp.).
- (12) Action on Hoover Commission Reports During Eighty-first Congress. Senate Report 2581, Eighty-first Congress, second session, October 12, 1950 (152 pp., committee supply exhausted).
- (13) Administrative Reorganizations in the Executive Branch of the Government. Senate Report 2680, Eighty-first Congress, second session, December 19, 1950 (83 pp.).
- (14) Activities of the Senate Committee on Expenditures in the Executive Departments, Eighty-first Congress. Senate Report 1, Eighty-second Congress, first session, January 15, 1951 (71 pp.).
- (15) Status of Hoover Commission Reports at End of First Session, Eighty-second Congress. Staff Memorandum No. 82-1-58. Eighty-second Congress, first session, October 20, 1951.
- (16) Public Laws Enacted and Reorganization Plans Approved in Effectuation of Hoover Commission Reports. Staff Memorandum No. 82-2-2, Eighty-second Congress, second session, January 12, 1952.

In addition to these general reports and staff memorandums, the committee staff has prepared 175 separate memorandums covering detailed analyses of each Hoover Commission report; summarizing

agency comments relative to recommendations on legislative proposals affecting each of these agencies; of each reorganization plan submitted by the President to the Congress; and upon each legislative proposal introduced in the Congress to effectuate the Hoover Commission reports. Official committee reports were also filed incorporating factual and historical data for the information of the Congress on 36 separate reorganization plans submitted to the Congress, as well as on each of the bills reported by the committee which would implement any recommendation of the Hoover Commission which was considered by the committee.

The committee has adopted a policy of holding hearings on reorganization plans to which opposition is expressed. Under this policy hearings were held on 21 separate reorganization bills pending before the committee, and on 22 reorganization plans referred to it on which resolutions of disapproval were filed as follows: Eighty-first Congress, first session, Reorganization Plans Nos. 1, 2, 3, 4, 5, 6, and 7; Eighty-first Congress, second session, Reorganization Plans Nos. 1, 4, 5, 7, 8, 9, 11, 12, 17, 18, 21, 22, 24, and 27; and Eighty-second Congress, first session, Reorganization Plan No. 1.



proper committee relative to recommendations on legislative proposals affecting each of those agencies of each reorganization plan submitted by the President to the Congress and in each legislative proposal introduced in the Congress to effectuate the plan or plans. Official committee reports were also filed in connection with the information of the Congress on 30 separate reorganization plans submitted to the Congress as well as on each of the bills reported by the committee which would implement any reorganization of the House of Representatives which was considered by the committee.

The committee has adopted a policy of holding hearings on reorganization plans to which opposition is extensive. Under this policy hearings were held on 21 separate reorganization bills pending before the committee and on 22 reorganization plans referred to it on which resolutions of disapproval were filed as follows: Twenty-first Congress, Reorganization Plans Nos. 1, 2, 3, 4, 5, 6, and 7; Twenty-second Congress, Reorganization Plans Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18; Twenty-third Congress, Reorganization Plan No. 1.